

UNITED STATES COURT OF APPEALS

JAN 22 2009

FOR THE NINTH CIRCUIT

MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALS

LIZA BROWN,

Plaintiff - Appellant,

v.

CALIFORNIA DEPARTMENT OF  
CORRECTIONS, a Department of the  
State of California; CALIFORNIA  
BOARD OF PRISON TERMS; SUSAN E  
POOLE; MITCHELL HARRIS; KEITH  
THOMPSON; STEVE COOLEY  
KATHLEEN TUTTLE,

Defendants - Appellees.

No. 07-55409

D.C. No. CV-05-06048-MMM  
Central District of California,  
Los Angeles

ORDER WITHDRAWING  
MEMORANDUM DISPOSITION

Before: KOZINSKI, Chief Judge, KLEINFELD and RAWLINSON, Circuit  
Judges.

The Memorandum Disposition filed on September 18, 2008 is  
WITHDRAWN. An opinion replacing the Memorandum Disposition shall be filed  
simultaneously with this order.

Appellant's Petition for Panel Rehearing, or in the Alternative, for  
Rehearing En Banc filed on October 2, 2008, is DENIED as moot, without  
prejudice to filing a petition in response to the opinion filed with this order.